

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
September 18, 2006**

The Board of Supervisors of Maricopa County Arizona convened in Informal Session at 10:00 a.m., September 18, 2006, in the Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman (entered late), District 1, Andrew Kunasek, District 3, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Lori Pacini, Deputy Clerk of the Board; Liz Evans, Administrative Coordinator; David Smith, County Manager; Bruce White, Deputy County Attorney; and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

CANVASS OF PRIMARY ELECTION - CONTINUED

Item: Pursuant to A.R.S. §§16-642 through 16-645, canvass the election returns and approve the Official Canvass for the September 12, 2006 Primary Election, in accordance with the Official Results prepared by the Maricopa County Elections Department. List is on file in the Clerk of the Board's Office. (ADM1709) (C2107001700)

Helen Purcell, Maricopa County Recorder and Karen Osborne, Elections Director addressed the Board. Ms. Purcell stated that this item was added to this agenda in case a recount would be required, but it has been determined that a recount will not be necessary. Ms. Purcell said that the Official Canvass will be left on the September 22, 2006 meeting agenda.

Chairman Stapley asked Ms. Osborne to share information about the hand count. Ms. Osborne stated they were able to partner with the political parties to do a hand count and were very pleased with the results. This gave the Recorder's office the opportunity to learn what needs to be done administratively to effectively process any required hand counts after the November elections.

Supervisor Wilcox asked if there had been any complaints regarding personal identification. Ms. Purcell said that the election went very smoothly, probably because of the extensive notification to the public done prior to the election.

Motion to continue the above item to September 22 was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (4-0-1).

~ Supervisor Brock entered the meeting ~

HUMAN SERVICES CAMPUS FIRST YEAR OPERATION

Item: Presentation to provide the status report on the first year's operation of the Human Services Campus. (C2007009M00) (ADM2519)

Mr. Michael McQuaid, Managing Director, Human Services Campus
Mr. Terry Boyer, Director, Lodestar Day Resource Center of the Campus

Michael McQuaid thanked the Board and Staff for all their support and recapped the first year of operation of the Human Services Campus. He commented that the Campus has dealt with a tremendous number of homeless individuals over the past year and the statistics are starting to show that cases have been handled with great success. The housing operation has been expanded three-fold, both in caseworkers and housing opportunities. The Day Resource Center is now open on weekends to provide restrooms and relief from weather. Last spring, the Campus began serving breakfast through a cooperative effort with St. Vincent de Paul. A post office for the homeless has operated successfully for several months in the front portion of the Day Resource Center.

**INFORMAL SESSION
September 18, 2006**

Mr. McQuaid said that with the Board's help they were able to maintain low demand emergency shelters throughout the summer months, resulting in a drastic reduction in the number of heat related deaths of homeless individuals. A collaborative effort with another organization has allowed an emergency day shelter for families to be opened. Prior to that, the Day Resource Center was not equipped to accommodate families with children.

Mr. McQuaid stated that there are still challenges ahead regarding how to operate the Campus more smoothly and make it more secure, as well as funding demands. The Campus has had higher costs than anticipated, but Mr. McQuaid reported that they have been working on various fundraising efforts. One of the efforts in progress is an application for a major matching funds grant for operating expenses. Mr. McQuaid said they are also looking at collaborating more with other organizations, particularly in the area of housing, which is the most critical need. It is extremely hard to place clients in permanent housing, which is the next step after they have received services provided by Campus organizations and have been stabilized, especially individuals with mental illness or very low incomes. Mr. McQuaid added that construction had started on the 25 bed/25 person dayroom NOVA Safe Haven Facility for the seriously mentally ill homeless, which is scheduled to open in the spring of 2007.

Mr. McQuaid introduced Terry Boyer and praised his outstanding leadership as Director of the Day Resource Center. Mr. Boyer explained that the Center has been able to place 247 clients into permanent housing and 93 into transitional housing in the ten months since the Center has opened. A contract between the Center and the Department of Economic Security for follow-up services is a crucial component to keeping clients in housing. Mr. Boyer shared that the City of Denver has made a commitment to eradicate homelessness in the next 10 years by building affordable housing, and is challenging other areas to do the same.

Mr. Boyer said that assuming responsibility for the homeless post office has been a tremendous help to the Center in a number of different ways. The post office provides an address for the homeless to receive mail, which is often essential for government services and job-related activities. The mail service also revealed that a number of homeless are actually receiving some type of income that was previously unknown to Center staff. Knowing that a homeless individual is receiving an income helps the staff to discuss varying housing options, and place them appropriately.

Mr. Boyer related that his group has noticed an increasing number of seniors in their 60's and 70's who are homeless for the first time. These are people who are on a fixed income and cannot make it, either because of catastrophic illness or loss of a spouse. Center staff has also noticed an increasing number of homeless families, particularly two-parent families with infant children, who are living paycheck to paycheck and just can't seem to make it without some help.

Mr. Boyer stated they have entered into a partnership with ABC Behavioral Health and Value Options for a HUD grant to provide permanent supportive housing for 85 seriously mentally ill clients for this fiscal year, and will enter into a contract with them next year for an additional 55 units.

Chairman Stapley commented that the creation of the Human Services Campus for the Homeless has faced two major challenges. First was the challenge of energizing the public and private sectors in fundraising efforts. About \$23.5 million has been raised to date, but with the price escalation of Phase 2, about \$5 million more will be needed. The second challenge has been to form and utilize partnerships and collaborations to create a client centered approach that moves people from homelessness into being engaged community members. The Chairman commended Mr. Boyer, on behalf of the Board of Supervisors, for "unwavering commitment to the needs of the homeless individuals that access our Human Services Campus."

**INFORMAL SESSION
September 18, 2006**

Mr. Boyer is moving out of state, and to thank Mr. Boyer for his commitment to the project, Supervisor Stapley presented him with a commemorative clock. Mr. Boyer commented that his time with the Center has been a tremendous experience.

CORRECTIONAL HEALTH SERVICES PROCESS IMPROVEMENTS

Item: Presentation to provide a status update on process improvements at the Department of Correctional Health Services. (C2607004M00)(ADM2131)

Lindy Funkhouser, CHS Director

Howard Salmon, Phase 2 Consulting

Lindy Funkhouser thanked the Board for approving the staffing plan that is currently being implemented. He presented information about the following list of "Key Achievements & Strategic Initiatives", explaining that Howard Salmon had been instrumental in many of the process improvements.

- NCCHC Accreditation
- Employee Satisfaction
- Staffing Plan
- Recruiting and Training Progress
- CHS Partnerships
- Strategic Plan (Critical Next Steps) for the next year

Mr. Funkhouser explained that CHS has met the Board approved budget the last two consecutive years. He also stated that employee satisfaction is at its highest level, and that the focus this year with the staff is education and training. Mr. Funkhouser also discussed how CHS is partnering with the Arizona Department of Corrections to facilitate the of detainees and has implemented the Clinical Liaison contact to facilitate family and attorney contacts. Finally, Mr. Funkhouser discussed quality initiatives that are underway, including 14-day physicals and the acquisition of an Electronic Medical Record System.

Supervisor Brock asked how many CHS clinics are in existence and Mr. Funkhouser responded that there are 9 clinics within 5 jail facilities. Supervisor Brock asked Mr. Funkhouser to explain the 14-day physicals noted under the Strategic Plan. Mr. Salmon explained that all inmates are required by the National Commission on Correctional Healthcare to have a physical exam within fourteen days after confinement. However, detainees are screened during the intake process and if there is any indication of a health problem, they are given a physical much more quickly. Mr. Funkhouser stated that anyone who identifies an illness such as diabetes that can be verified, will be put on a medication regiment immediately. If the illness cannot be verified immediately through calls to a doctor or pharmacist, then the individual is evaluated by a CHS staff physician and prescribed appropriately.

Mr. Salmon commented that since so many of inmates are repeat offenders, health records generated through the Electronic Medical Record (EMR) system that CHS is considering for purchase would immediately identify the medication needs of certain individuals. Supervisor Brock asked if the EMR system would be compatible with hospitals or other healthcare providers. Mr. Funkhouser said that both the public health hospital and the Department of Corrections were considering whether to purchase the EMR system. Mr. Funkhouser answered by saying there are certain federal standards for all electronic health record systems, so communicating with other systems should not be problematic once the systems are in place.

Supervisors Kunasek and Wilcox commended CHS for the vast improvements that have been made over the last year.

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
September 18, 2006**

PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS

Chairman Stapley called for a public hearing on liquor license applications. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek, to recommend approval of the following liquor license application:

Application filed by Donald A. Rogers for a Special Event Liquor License: (F23192) (SELL745)

Business Name:	Knights of Columbus, Council 11809
Location:	14818 W. Deer Valley Drive, Sun City West, 85375
Date/Time:	September 26, 2006

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "nay."

APPOINTMENT TO STATE BOARD OF EQUALIZATION

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to appoint John R. Westphal, representing Supervisorial District 4, whose term is effective from September 21, 2006 through December 31, 2008. (C0607019900)(ADM4908-001)

RESIGNATION AND APPOINTMENT FOR THE STATE BOARD OF EQUALIZATION

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the resignation of Phil Broadbent and appoint Henry C. Deihl, representing Supervisorial District 2, whose term is effective from date of Board approval through December 31, 2008. (C0607020900)(ADM4908-001)

ASRS CLAIMS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001)

<u>Name</u>	<u>Amount</u>
Lisbeth Clingan	\$29,914.50

DEFENSE OF DOWLING V. BOARD OF SUPERVISORS

Item: Authorize the defense of, and the filing of an answer, counterclaim and third party complaint ("pleading"), regarding the recently filed Dowling v. Board of Supervisors, CV2006-052611, action, which pleading will respond to the allegations in the lawsuit, seek the recovery of funds plaintiffs owe to Maricopa County and the Maricopa County Treasurer's Investment Pool; and include the County Treasurer as a third party defendant as the Treasurer is a necessary party due to his statutory roles, and to notify the Treasurer immediately of the answer, counterclaim and third party claim. (ADM3800-004)(ADM3814-004)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
September 18, 2006**

Tom Irvine, Outside Counsel
Sandi Wilson, Deputy County Manager
LeeAnn Bohn, Budget Administrator
Eric Latto, Chief of Staff, District 1
James Candland, Chief of Staff, District 2
Jim Bloom, Chief of Staff, District 3
Scott Isham, Chief of Staff, District 4
Terri Leija, Chief of Staff, District 5

Chairman Stapley announced that the Board would be receiving legal advice on this item prior to taking action.

EXECUTIVE SESSION

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to recess and reconvene in Executive Session in the Tom Sullivan Conference Room to consider the above item, pursuant to legal advice, ARS §38-431.03(A)(3). At this time, Bruce White, Deputy County Attorney, left the meeting and Doug Gerlach, Outside Counsel, provided counsel to the Board. Lisa Keegan, Outside Consultant, entered the meeting for this item. Shirley Million replaced Ms. Evans as Administrative Coordinator for Executive Session.

INFORMAL MEETING RECONVENED

Chairman Stapley reconvened open session at 11:35 a.m. in the Tom Sullivan Conference Room.

DEFENSE OF DOWLING V. BOARD OF SUPERVISORS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the defense of, and the filing of an answer, counterclaim and third party complaint ("pleading"), regarding the recently filed Dowling v. Board of Supervisors, CV2006-052611, action, which pleading will respond to the allegations in the lawsuit, seek the recovery of funds plaintiffs owe to Maricopa County and the Maricopa County Treasurer's Investment Pool; and include the County Treasurer as a third party defendant, as the Treasurer is a necessary party due to his statutory roles, and to notify the Treasurer immediately of the answer, counterclaim and third party claim. (ADM3800-004)(ADM3814-004)

EXECUTIVE SESSION

The Chairman reconvened the executive session at 11:40 a.m. to consider the following Executive items from the Executive Session agenda for September 18, 2006. Doug Gerlach and Lisa Keegan left the meeting. Chris Keller and Victoria Mangiapane entered the meeting. All other attendees remained as given above.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

American Federation of State, County and Municipal Employees, AFL-CIO, Local 3190 v. Maricopa County Board of Supervisors, et al., CV06-2128-PHX-SMM

Clarisse McCormick, Deputy County Attorney
Mark Ogden, Outside Counsel
Charles Fine, Outside Counsel, **did not attend**
Gwynn Simpson, Director, Human Resources

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
September 18, 2006**

David Hendershott, Chief Deputy, Sheriff's Office

James Cozzolino v. Maricopa County, et al. US District Court No. CV04-2229-PHX-FJM

Stephen Dichter, Outside Counsel
Jennifer Healy, Outside Counsel
Peter Crowley, Risk Manager
Ted Howard, Claims Manager
Richard Stewart, Deputy County Attorney
David Hendershott, Chief Deputy, Sheriff's Office

PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(4)

Mario Yarbrough, etc., claims

Tom Manos, Chief Financial Officer
Chris Keller, Chief, Civil Division
Richard Stewart, Deputy County Attorney
Peter Crowley, Risk Manager
Ted Howard, Claims Manager
David Hendershott, Chief Deputy, Sheriff's Office
Cathy Weinke, Outside Counsel
Lindy Funkhouser, Health Department

LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATIONS AND POTENTIAL LITIGATION – ARS §38- 431.03(A)(3) AND 38-431.03(A)(4)

Baxter Claim

Chris Keller, Deputy County Counsel
Wes Baysinger, Director, Maricopa County Materials Management – **did not attend**

LEGAL ADVICE; PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §38-431.03(A)(3) and (A)(7)

Southwest Regional Center/Replacement Site

Tom Manos, Chief Financial Officer
Dennis Lindsay, Manager, Real Estate Services
William Riske, Deputy County Attorney
Chris Bradley, Deputy Budget Director
Heidi Birch, Principal Capital Facilities Development, **did not attend**
Steve Conner, Director, Facilities Management
Hugh Gallagher, Deputy Court Administrator, **did not attend**
Marcus Reinkensmeyer, Judicial Branch Administrator, **did not attend**

Dorsey Crossing Property, Tempe

Tom Manos, Chief Financial Officer
Dennis Lindsay, Manager, Real Estate Services
William Riske, Deputy County Attorney

PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(4)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
September 18, 2006**

Aida Renta Trust, et al. v. Maricopa County, et al. CV1996-016474

Keith Russell, Assessor
Roberta Livesay, Outside Counsel
Jean Rice, Deputy County Attorney
Sandi Wilson, Deputy County Manager

MEETING ADJOURNED

At the conclusion of discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Don Stapley, Chairman of the Board

Lori Pacini, Deputy Clerk of the Board